

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

SADIE HACKLER, on behalf of herself  
and all others similarly situated,

Plaintiff,

V.

TOLTECA ENTERPRISES, INC. d/b/a  
PHOENIX RECOVERY GROUP,

Defendant.

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Case No. 5:18-CV-00911-XR

**FORBEARANCE AGREEMENT**

In the above styled cause Sadie Hackler ("Hackler") has an unpaid Judgment against Tolteca Enterprises, Inc. dba Phoenix Recovery Group ("Tolteca") in the amount of \$72,325.00 USD, consisting of \$1,000 for Hackler, \$3,600 to be paid to Texas Rio Grande Legal Aid, and \$67,725 to be paid for Hackler's attorneys' fees and costs.

Hackler hereby agrees to forbear from taking any action to collect the judgment for provided that Tolteca timely makes the following payments:

1. \$22,000 paid to "Bingham & Lea., PC IOLTA account" on or before October 4, 2021;
2. At least \$5,000 per month paid to "Bingham & Lea, IOLTA Account" on the first day of each successive month beginning on November 1, 2021 and continuing thereafter until the full amount of \$72,325.00 is paid.

If any payment is not timely made, it shall be a default. Upon default, Hackler's attorneys will give to Tolteca's attorney Tom Clarke an email notice of default and 10-days to cure such default, provided that during the term of this agreement, Hackler's attorneys shall not be required to give Toltecs's attorney more than two notices of default – a third default in payment, or any uncured default after notice, will not require any further notice

before Hackler may institute all available collection proceedings to collect the unpaid balance of the judgment.

This agreement may be filed with the Court presiding over this case.

AGREED, effective on September 30, 2021:

**For Sadie Hackler:**

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**For Tolteca Enterprises, Inc.:**

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